

## JOHN WILEY &amp; SONS, INC. et al..

Plaintiffs,

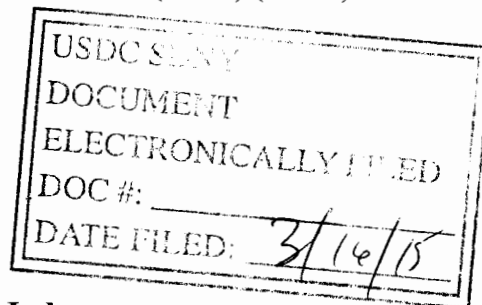
-v.-

BOOK DOG BOOKS, LLC et al.,

Defendants.

ORDER

13 Civ. 816 (WHP) (GWG)



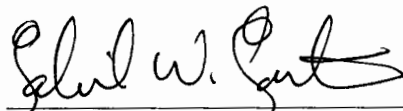
The Court is in receipt of a letter from defendants dated March 4, 2015 (Docket # 230) raising a discovery dispute, and a responsive letter from plaintiffs dated March 6, 2015 (Docket # 235).

<sup>1</sup> To the extent this was not the intention of the question, defendants may pose the following interrogatory to the expert: “Did any person other than yourself or plaintiffs’ attorney originally compose any section of the report?” If the question is answered in the affirmative, defendants may make a new application.

there were unexplained changes in the report, id. at 328. There is no such record here. To the extent Gerke may be read as holding otherwise, the Court would respectfully disagree with its result as inconsistent with the 2010 Amendments. See United States Commodity Futures Trading Comm'n v. Newell, 301 F.R.D. 348, 351-52 (N.D. Ill. 2014) (refusing to follow Gerke).

SO ORDERED.

Dated: March 16, 2015  
New York, New York

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge